

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

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ANTHONY RICHARDS, SR.

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Plaintiff,

\*

v.

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1:07-CV-261-WKW

COFFEE COUNTY SHERIFF  
DEPARTMENT, *et al.*,

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\*

Defendants.

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**ORDER ON MOTION**

Upon consideration of the Motion for Leave to File a Motion to Amend Complaint filed by Plaintiff on April 5, 2007, it is

ORDERED that the Motion for Leave to File a Motion to Amend Complaint (Doc. No. 9), be and is hereby GRANTED.

Upon consideration of Plaintiff's motion to amend complaint, wherein he asserts additional factual allegations in support of his complaint seeks to name Dr. Meloni as an additional defendant, and for good cause, it is

ORDERED that the motion to amend be and is hereby GRANTED. It is further ORDERED that:

1. The Clerk take all necessary steps to amend the court docket to reflect that Dr.

Meloni is a named defendant;

2. Defendants undertake a review of the subject matter of the complaint, as amended, (a) to ascertain the facts and circumstances; (b) to consider whether any action should be taken to resolve the subject matter of the complaint; and (c) to determine whether other similar complaints, whether pending in this court or elsewhere, should be considered together.

3. On or before May 18, 2007 Defendants shall file an answer and written report to the complaint, as amended. **The written report must contain the sworn statements of all persons having personal knowledge of the subject matter of the complaint. *In cases involving medical treatment claims, Defendant(s) shall provide an affidavit from a named defendant or other health care professional which (i) contains a detailed explanation of the treatment provided to Plaintiff, and (ii) interprets the information contained in the medical records relevant to the claims presented in the complaint. All defenses including immunity defenses must be set forth in the written report or such defenses may be waived.*** Authorization is hereby granted to interview all witnesses, including Plaintiff. Whenever relevant, copies of medical and/or psychiatric records shall be attached to the written report. Where Plaintiff's claim or Defendants' defenses relate to or involve the application of administrative rules, regulations or guidelines, the written report shall include copies of all such applicable administrative rules, regulations or guidelines;

4. No motion for summary judgment, motion to dismiss or any other dispositive motions addressed to the complaint, as amended, shall be filed by any party without permission of the court. If any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court, the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court; and

5. The Clerk is DIRECTED to furnish a copy of the amendment to the complaint to Defendants Sutton, Moss, Gibson, and a copy of the complaint and amended complaint to Dr. Meloni.

To the extent Plaintiff's amended complaint also contains a request to reconsider the court's March 28, 2007 order denying his request for appointment of counsel, it is

ORDERED that the motion to reconsider be and is hereby DENIED.

DONE, this 9<sup>th</sup> day of April 2007.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE